



DIVISION OF
ENFORCEMENT

UNITED STATES
SECURITIES AND EXCHANGE COMMISSION
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NEW YORK, NY 10004-2616

October 6, 2022

FILED BY ECF

Hon. P. Kevin Castel
United States District Judge
Southern District of New York
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York, NY 10007

Re: SEC v. Scott Lindell, No. 22 Civ. 8368 (PKC)

Dear Judge Castel:

Plaintiff Securities and Exchange Commission ("SEC") respectfully writes to seek clarification on the Court's text docket entry (D.E. 10) posted this morning with the partial consent judgment the Court entered as to Defendant Scott Lindell, the sole defendant in this case. As set forth in the SEC's letter dated October 5, 2022 (D.E. 9), the partial consent judgment resolves the injunctive relief the SEC seeks in this case but leaves open for later resolution by motion (or further settlement) the monetary relief and officer-and-director bar the SEC also seeks. The SEC therefore respectfully seeks clarification as to the last sentence of the text docket entry: "And as set forth herein, Scott Lindell terminated." (D.E. 10.) The SEC respectfully requests that the Court leave this case open on its active docket so that the parties may try to resolve the remaining relief at an appropriate time and, if the relief cannot then be resolved, so that the SEC may move for additional relief under the terms of the partial consent judgment.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "DHT", written over a horizontal line.

David H. Tutor
Senior Counsel
Division of Enforcement

cc: Counsel for Defendant (by email)